

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

HEALTHCARE COMPLIANCE
RESOURCES, LLC, a Michigan
limited liability corporation,

Plaintiff,

Case No. 1:05CV0471
Hon. Richard Alan Enslen

v.

PHYSICIAN REIMBURSEMENT SERVICES
OF HOUSTON INC., a Texas corporation,
PHYSICIAN REIMBURSEMENT SERVICES, INC.,
a Texas corporation, and ALICE D. COLEHOWER,
an individual,

Defendants,
Jointly and severally.

FRANK, HARON, WEINER AND NAVARRO, PLC

By: Monica P. Navarro (P52985)
Michelle D. Bayer (P55546)

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MOTION FOR JUDGMENT OF DEFAULT

Pursuant to Fed. R. Civ. Pr. 55(b)(1) and for the reasons set forth in the attached brief, Plaintiff, Healthcare Compliance Resources, LLC (“HCR”), a Michigan limited liability company, by its attorneys, Frank, Haron, Weiner and Navarro, requests entry of judgment against the above-captioned Defendants, jointly and severally, as follows:

I. As to Count I of the Complaint, Unfair Competition and False Advertising in Violation of Section 43(a) of the Lanham Act, 15 U.S.C.A. § 1125; Count II, Violation of the

Michigan Consumer Protection Act, M.C.L.A. §445.903; Count III, Unfair Competition under Common Law; and Count IV, Unjust Enrichment, as follows:

- a. Order Defendants to cease using the “Certified Health Care Consultant” or “CHCC” title/ designation orally or in writing and to recall all offending materials using such designations.
- b. Enter a monetary award in an amount equal to three times the amount of profits earned by Defendants through their misrepresentations from January 1, 2003 through October 31, 2005, in the amount of \$4,952,404,77.
- c. Enter a monetary award in an amount equal to the costs and attorney fees thus far incurred by Plaintiff in this lawsuit, in the amount of \$9,667.36.

II. As to Count II, Violation of the Michigan Consumer Protection Act, M.C.L.A. §445.903:

- a. Declare that Defendants’ use of the title designation Certified Health Care Compliance Consultant or CHCC is unlawful under M.C.L.A. §445.903.

Respectfully submitted,

/s/ Monica P. Navarro
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Dated: October 28, 2005